In re

R2002-162 Commissioner for Patents

United States Patent and Trademark Office Washington, D.C. 20231 www.uspto.gov

AUG 1 2 2002

: DECISION ON

: PETITION FOR REGRADE

UNDER 37 CFR 10.7(c)

MEMORANDUM AND ORDER

(petitioner) petitions for regrading his answers to questions 8, 18, 35, and 49 of the morning session and questions 6, 38, and 45 of the afternoon session of the Registration Examination held on October 17, 2001. The petition is <u>denied</u> to the extent petitioner seeks a passing grade on the Registration Examination.

BACKGROUND

An applicant for registration to practice before the United States Patent and Trademark Office (USPTO) in patent cases must achieve a passing grade of 70 in both the morning and afternoon sessions of the Registration Examination. Petitioner scored 65.

On February 4, 2002, petitioner requested regrading, arguing that the model answers were incorrect.

As indicated in the instructions for requesting regrading of the Examination, in order to expedite a petitioner's appeal rights, a single final agency decision will be made regarding each request for regrade. The decision will be reviewable under 35 U.S.C. § 32. The Director of the USPTO, pursuant to 35 U.S.C. § 2(b)(2)(D) and 37 CFR 10.2 and 10.7, has delegated the authority to decide requests for regrade to the Director of Patent Legal Administration.

OPINION

Under 37 CFR 10.7(c), petitioner must establish any errors that occurred in the grading of the Examination. The directions state: "No points will be awarded for incorrect answers or unanswered questions." The burden is on petitioners to show that their chosen answers are the most correct answers. The directions to the morning and afternoon sessions state in part:

Do not assume any additional facts not presented in the questions. When answering each question, unless otherwise stated, assume that you are a registered patent practitioner. The most correct answer is the policy, practice, and procedure which must, shall, or should be followed in accordance with the U.S. patent statutes, the USPTO rules of practice and procedure, the Manual of Patent Examining Procedure (MPEP), and the Patent Cooperation Treaty (PCT) articles and rules, unless modified by a court decision, a notice in the *Official Gazette*, or a notice in the *Federal Register*. There is only one most correct answer for each question. Where choices (A) through (D) are correct and choice (E) is "All of the above," the last choice (E) will be the most correct answer and the only answer which will be accepted. Where two or more choices are correct, the most correct answer is the answer that refers to each and every one of the correct choices. Where a question includes a statement with one or more blanks or ends with a colon, select the answer from the choices given to complete the statement which would make the statement *true*. Unless otherwise explicitly stated, all references to patents or applications are to be understood as being U.S. patents or regular (non-provisional) utility applications

for utility inventions only, as opposed to plant or design applications for plant and design inventions. Where the terms "USPTO" or "Office" are used in this examination, they mean the United States Patent and Trademark Office.

Petitioner has presented various arguments attacking the validity of the model answers. All of petitioner's arguments have been fully considered. Each question in the Examination is worth one point.

Petitioner has been granted one additional point on the Examination for his answer (E) to afternoon question 45. No credit has been awarded for morning question 8, 18, 35, or 49, and no credit has been awarded for afternoon question 6 or 38. Petitioner's arguments for these questions are addressed individually below.

Morning question 8 reads as follows:

- 8. Joan comes to you wanting to know the status of the applications of her competitor Pete. During Joan's previous relationship with Pete she believes she may have been a coinventor on one of the applications filed by Pete. Pete owns Applications A, B, C and D. Application B is a continuation of application A and a redacted copy of application A has been published under 35 U.S.C. § 122(b). Joan is listed as a coinventor on Application C. Pete has an issued patent that claims priority to Application D. Assume only the last six digits of the numerical identifier are available for Application D and Application D is abandoned. Which of the following is not true?
 - (A) Joan may obtain status information for Application B that is a continuation of an application A since application A has been published under 35 U.S.C. § 122(b).
 - (B) Joan may be provided status information for Application D that includes the filing date if the eight-digit numerical identifier is not available and the last six digits of the numerical identifier are available.
 - (C) Joan may obtain status information for Application D since a U.S. patent includes a specific reference under 35 U.S.C. § 120 to Application D, an abandoned application. Joan may obtain a copy of that application-as-filed by submitting a written request including the fee set forth in 37 CFR 1.19(b)(1).
 - (D) Joan may obtain status information as to Application C since a coinventor in a pending application may gain access to the application if his or her name appears as an inventor in the application, even if she did not sign the § 1.63 oath or declaration.

(E) Joan may obtain access to the entire Application A by submitting a written request, since, notwithstanding the fact that only a redacted copy of Application A has been published, a member of the public is entitled to see the entire application upon written request.

The model answer is selection (E).

8. ANSWER: Statement (E) is false and is not a correct statement. Since a redacted copy of the application was used for publication purposes, 37 CFR 1.14 (c)(2) provides that "(2) If a redacted copy of the application was used for the patent application publication, the copy of the specification, drawings, and papers may be limited to a redacted copy." For (A) and (B), see 37 CFR 1.14(b)(2). For (C) see 37 CFR 1.14(b)(2) and (c)(1)(i). As to (D), a coinventor is entitled to access to the application independent of whether or not he or she signed the declaration. Note that as stated in 37 CFR 1.41(a)(2), if a declaration or oath is not filed, the inventorship is that inventorship set forth in the application papers.

Petitioner chose answer (A). Petitioner has argued that Answer (A) is at least as good an answer as answer (E) because in the facts presented, there is no indication that continuation application B is "referred to by its numerical identifier in a published patent document" as required in 37 CFR 1.14(b)(2). Petitioner's argument is not persuasive.

There is no requirement that application A refer to application B. See 37 CFR 1.14(b)(4). Application A was published. It is proper to assume that the numerical identifier of application A appears in the published copy of application A. Accordingly, status information of application A may be supplied by the Office under 37 CFR 1.14(b)(2). According to the facts presented in morning question 8, "Application B is a continuation of application A." Accordingly, application B claims the benefit of the filing date of an application for which information may be provided pursuant to paragraphs (b)(1) through (b)(3) of 37 CFR 1.14. Status information of application B may therefore be provided

under 37 CFR 1.14(b)(4). Petitioner has further argued that answer B is incorrect because it fails to represent that, when the accessor does not know all eight digits of the "numerical identifier," other proper identification information may be utilized. Answer B is true because, if the eight-digit numerical identifier is not available and the last six digits of the numerical identifier are available, status information will include the last six digits of the numerical identifier plus the filing date of the national application, the international filing date, or date of entry into the national stage. Answer (E) is the most correct answer because since a redacted copy of application A was published, the copy of the specification, drawings, and papers may be limited to a redacted copy as provided in 37 CFR 1.14(c)(2).

No error in grading has been shown. Petitioner's request for credit on this question is denied.

Morning question 18 reads as follows:

- 18. Which of the following is in accord with proper USPTO practice and procedure?
- (A) Satisfaction of the enablement requirement of the first paragraph of 35 U.S.C. § 112 by the disclosure in a specification also satisfies the written description requirement of the second paragraph of 35 U.S.C. § 112
- (B) A claim to a process consisting solely of mathematical operations, *i.e.*, converting one set of numbers into another set of numbers, does not manipulate appropriate subject matter and thus cannot constitute a process eligible for patent protection.
- (C) A claim for a machine can encompass only one machine, such as a single computer, for performing the underlying process.
- (D) A claim that recites nothing but the physical characteristics of a form of energy, such as a frequency, voltage, or the strength of a magnetic field, define energy or magnetism, per se, and as such are statutory natural phenomena.
- (E) A composition of matter is a single substance, as opposed to two or more substances, whether it be a gas, fluid, or solid.

The model answer is selection (B).

18. ANSWER: The most correct answer is (B). MPEP § 2106 (IV)(B)(2)(b)(ii) (Computer Related Process ...), "If the 'acts' of a claimed process manipulate only numbers, abstract concepts or ideas, or signals representing any of the foregoing, the acts are not being applied to appropriate subject matter. Thus, a claim to a process consisting solely of mathematical operations, i.e., converting one set of numbers into another set of numbers, does not manipulate appropriate subject matter and thus cannot constitute a statutory process." (A) is not correct. MPEP § 2106 (V)(B)(1), and see In re Barker, 559 F.2d 588, 591, 194 USPQ 470, 472 (CCPA 1977), cert. denied, Barker v. Parker, 434 U.S. 1064 (1978) (a specification may be sufficient to enable one skilled in the art to make and use the invention, but still fail to comply with the written description requirement). See also In re DiLeone, 436 F.2d 1404, 1405, 168 USPQ 592, 593 (CCPA 1971). Also, the written description requirement is in the first paragraph, not the second paragraph, of 35 U.S.C. § 112. (C) is not correct. MPEP § 2106 (IV)(B)(2)(a) (Statutory Product Claims). (D) is not correct. MPEP § 2106 (IV)(B)(1)(c) (Natural Phenomena Such As Electricity or Magnetism), and see O'Reilly v. Morse, 56 U.S. (15 How.) at 112 -114. (E) is incorrect. MPEP § 2106 (IV)(B)(2) (Statutory Subject Matter), and see Diamond v. Chakrabarty, 447 U.S. 303, 308, 206 USPQ 193, 197 (1980); and Shell Development Co. v. Watson, 149 F. Supp. 279, 280, 113 USPQ 265, 266 (D.D.C. 1957), aff'd per curiam, 252 F.2d 861, 116 USPQ 428 (D.C. Cir. 1958).

Petitioner chose answer (C). Petitioner's arguments have been fully considered but are not persuasive. Petitioner has argued that MPEP § 2106, subsection IV.B.2(a) expressly sanctions the incorporation of "one machine" that is a "single computer" that "performs the underlying process." While it is true that a claim for a machine can encompass one machine, such as a single computer, it is also true that a claim for a machine can encompass more than one machine, such as a networked arrangement of computers and peripheral devices. As provided in MPEP § 2106, paragraph IV.B.1, a machine is "a concrete thing, consisting of parts or of certain devices and combinations of devices." See also *Burr v. Duryee*, 68 U.S. (1 Wall.) 531, 570 (1863).

No error in grading has been shown. Petitioner's request for credit on this question is denied.

Morning question 35 reads as follows:

- 35. During their period of courtship, Amy and Pierre invented and actually reduced to practice an improved frying pan, wherein the sides and integral handle are formed from a metal having a low coefficient of conductivity, and a base providing the cooking surface formed from a metal having a high coefficient of conductivity. While the basic concept was old in the art, Amy's concept was to sandwich a layer of aluminum between layers of copper, while Pierre's concept was to sandwich a layer of copper between layers of aluminum. Accordingly, acting as pro se joint inventors, they filed a nonprovisional patent application in the USPTO on January 10, 2001, along with a proper nonpublication request. The application disclosed both Amy's and Pierre's concepts in the specification, and contained three independent claims: claim 1 was generic to the two concepts; claim 2 was directed to Amy's concept, and claim 3 was directed to Pierre's concept. Thereafter, Amy and Pierre had a "falling out" and Pierre returned to his home in France where he filed a corresponding patent application in the Frenc h Patent Office on January 31, 2001. Pierre was completely unaware of any obligation to inform the USPTO of the French application. Amy first learned of Pierre's application in the French Patent Office on October 10, 2001. Once Amy learns of the French application, which of the following actions should she take which accords with proper USPTO practice and procedure and which is in her best interest?
 - (A) Immediately notify the USPTO of the filing of the corresponding application in the French Patent Office. (B) Promptly submit a request to the USPTO under Amy's signature to rescind the nonpublication request.
 - (C) File an amendment under Amy's signature deleting claim 3 and requesting that Pierre's name be deleted as an inventor on the ground that he is no t an inventor of the invention claimed.
 - (D) Promptly file a document, jointly signed with Pierre, giving notice to the USPTO of the filing of the corresponding application in the French Patent Office and showing that any delay in giving the notice was unintentional.
 - (E) File an application for a reissue patent that is accompanied by an amendment paper with proper markings deleting Pierre's concept from the specification and a statement canceling claims 1 and 3.

The model answer is selection (D).

35. ANSWER: (D) is correct because 35 U.S.C. § 122(b)(2)(B)(iii) indicates that such action may avoid abandonment of the application. (A) is wrong because the action is being taken more than 45 days after filing of the corresponding application in the French Patent Office and thus will not avoid abandonment of the application. 35 U.S.C. § 122(b)(2)(B)(iii). (B) is wrong because 37 CFR 1.213(a)(4) requires that the request be signed in compliance with 37 CFR 1.33(b)(4), which requires that all applicants sign. (C) is wrong because such action will not avoid abandonment of the application pursuant to 35 U.S.C. § 122(b)(2)(B)(iii). (E) is wrong because Amy's application has not issued as a patent, and reissue relates only to applications that have issued as patents.

Petitioner chose answer (B). Petitioner has argued that the call of the question is directed to what action *Amy* should take, not what she and Pierre together should take. Petitioner further argued it was incorrect to assume that Pierre was a cooperative applicant, and that based on the facts given, it would have been reasonable for Amy to submit a request to rescind the nonpublication request over only her own signature.

Answer (D) is a better answer than answer (B) because 35 U.S.C. 122(b)(2)(iii) indicates that it must be shown to the satisfaction of the Director that the delay in submitting the notice was unintentional, and because the document in answer (D) is signed by all of the applicants (both Amy and Pierre). 37 CFR 1.213(a)(4) requires that the request be signed in compliance with 37 CFR 1.33(b) and 37 CFR 1.33(b)(4) requires all of the applicants to sign. Answer (D) complies with the requirements of 35 U.S.C. 122(b)(2)(iii) and 37 CFR 1.213(a)(4). Answer (B) does not.

No error in grading has been shown. Petitioner's request for credit on this question is denied.

Morning question 49 reads as follows:

49. Joe files a nonprovisional patent application containing claims 1 through 10 in the USPTO and properly receives a filing date of December 6, 2000. The first Filing Receipt including a confirmation number for the application was mailed on December 20, 2000. On January 30, 2001, the examiner mails Joe a NOTICE indicating that a nucleotide sequence listing in accordance with 37 CFR§ 1.821-1.825 is required. On February 27, 2001, Joe files the required sequence listing as well as a preliminary amendment adding claims 11 through 13 to the application, along with a copy of the application as amended in compliance with the Office electronic filing system requirements. Assuming the Office has not started the publication process at such time and that Joe's application is subsequently published pursuant to 35 U.S.C. § 122(b), which of the following statements accords with proper USPTO practice and procedure?

- (A) The published application will contain claims 1 through 10 only because the preliminary amendment adding claims 11 through 13 was not submitted in reply to the NOTICE.
- (B) The published application will contain claims 1 through 13 because a copy of the application as amended in compliance with the Office electronic filing system requirements was filed.
- (C) The published application will contain claims 1 through 10 only because the copy of the application as amended in compliance with the Office electronic filing system requirements was not filed within one month of the actual filing date of the application.
- (D) The published application may contain claims 1 through 13 because the Office may use an untimely filed copy of the application as amended in compliance with the Office electronic filing system requirements where the Office has not started the publication process.
- (E) The published application will contain claims 1 through 10 only because publication is based solely on the application papers deposited on the filing date of the application.

The model answer is selection (B) and (D).

49. ANSWER: (B) and (D) are correct and (A), (C), and (E) are wrong. 37 CFR 1.215 ("(c) At applicant's option, the patent application publication will be based upon the copy of the application... as amended during examination, provided that applicant supplies such a copy in compliance with the Office electronic filing system requirements within one month of the actual filing date of the application or fourteen months of the earliest filing date for which a benefit is sought under title 35, United States Code, whichever is later. (d)...If...the Office has not started the publication process, the Office may use an untimely filed copy of the application supplied by the applicant under paragraph (c) of this section in creating the patent application publication."). The Office in a notice ("Assignment of Confirmation Number and Time Period for Filing a Copy of an

Application by EFS for Eighteen-Month Publication Purposes") in the Official Gazette on December 26, 2000, (1241 O.G. 97) advised that an electronic filing system (EFS) copy of an application will be used in creating the patent application publication even if it is submitted outside the period set forth in 37 CFR 1.215(c), provided that it is submitted within one month of the mailing date of the first Filing Receipt including a confirmation number for the application. While the published application is based on the application as originally filed, if applicant submits an amended version of the application via EFS within the time period set forth in section 1.215(c), the amended version of the application will be used for the publication. Based on the facts given in the question, the amended version of the application was timely filed within the fourteen-month window because the earliest filing date for which a benefit is sought is the filing date (December 6, 2000) of the application. Answers (A), (C) and (E) are all wrong because each answer states that the published application will only include claims 1-10, however, the publication will include claims 1-13 filed with the EFS submission.

Petitioner chose answer (E), arguing that it would be incorrect to assume that Joe has made a request to publish claims 11-13 or otherwise given permission for publication of the preliminary amendment of February 27, 2001. Petitioner's argument is not persuasive. 37 CFR 1.215(c) provides that the patent application publication will be based upon the amended copy, "provided that applicant supplies such a copy in compliance with the Office electronic filing system requirements...." The fact pattern indicated that Joe filed "a copy of the application as amended in compliance with the Office electronic filing system requirements." Accordingly, the application as amended may be published by the Office, since 37 CFR 1.215(d) indicates that if the Office has not started the publication process, "the Office may use an untimely filed copy of the application supplied by the applicant under paragraph (c) of this section in creating the patent application publication." Thus, answer (D) is the most correct answer because answer (D) provides that the Office may use an untimely filed copy of the application as

amended in compliance with the Office electronic filing system requirements where the Office has not started the publication process.

No error in grading has been shown. Petitioner's request for credit on this question is denied.

Afternoon question 6 reads as follows:

- 6. An examiner has advanced a reasonable basis for questioning the adequacy of the enabling disclosure in the specification of your client's patent application, and has properly rejected all the claims in the application. The claims in the application are drawn to a computer program system. In accordance with proper USPTO practice and procedure, the rejection should be overcome by submitting ______
 - (A) factual evidence directed to the amount of time and effort and level of knowledge required for the practice of the invention from the disclosure alone.
 - (B) arguments by you (counsel) alone, inasmuch as they can take the place of evidence in the record.
 - (C) an affidavit under 37 CFR 1.132 by an affiant, who is more than a routineer in the art, submitting few facts to support his conclusions on the ultimate legal question of sufficiency, *i.e.*, that the system "could be constructed."
 - (D) opinion evidence directed to the ultimate legal issue of enablement.
 - (E) patents to show the state of the art for purposes of enablement where these patents have an issue date later than the effective filing date of the application under consideration.

The model answer is selection (A).

6. ANSWER: The most correct answer is (A). MPEP § 2106.02 (Affidavit Practice (37 CFR 1.132)). Factual evidence directed to the amount of time and effort and level of knowledge required for the practice of the invention from the disclosure alone can rebut a prima facie case of nonenablement. See *Hirschfield v. Banner, Commissioner of Patents and Trademarks*, 200 USPQ 276, 281 (D.D.C. 1978). (B) is not correct. MPEP § 2106.02 (Arguments of Counsel), and see *In re Budnick*, 190 USPQ 422, 424 (CCPA 1976); *In re Schulze*, 145 USPQ 716 (CCPA 1965); and *In re Cole*, 140 USPQ 230 (CCPA 1964). (C) is not correct. MPEP § 2106.02 (Affidavit Practice (37 CFR 1.132)), and see *In re Brandstadter*, 179 USPQ 286 (CCPA 1973). (D) is not correct. MPEP § 2106.02 (Affidavit Practice (37 CFR 1.132)), and see *Hirschfield v. Banner*, *Commissioner of Patents and Trademarks*, 200 USPQ 276, 281 (D.D.C. 1978). (E) is not

correct. MPEP § 2106.02, (Referencing Prior Art Documents), and see *In re Budnick*, 190 USPQ 422, 424 (CCPA 1976); and *In re Gunn*, 190 USPQ 402, 406 (CCPA 1976).

Petitioner chose answer (E). Petitioner's arguments have been fully considered but are not persuasive. Petitioner argued that a post-filing date reference could be used if it "provides evidence of what one skilled in the art would have known on or before the effective date of the patent application." There is no reason to believe the patents discussed in answer (E) include any information regarding what one of ordinary skill in the art would have known on or before the effective date of the patent application. In the absence of facts specifically stating otherwise, the subject matter in these patents would not have been available to one of ordinary skill in the art until the patents issued.

No error in grading has been shown. Petitioner's request for credit on this question is denied.

Afternoon question 38 reads as follows:

- 38. Your clients, Able and Baker, filed a patent application. In accordance with proper USPTO practice and procedure, in which of the following instances, absent additional facts, is the reference or event either prior art or an act that may not be properly applied to reject claims in your client's application?
 - (A) The patent application was filed on Tuesday, June 26, 2001 in the USPTO. The reference is an article in a trade magazine published on November 10, 2000. Able, Baker and McGeiver are the authors of the article. The article fully discloses the claimed invention and how to make and use it.
 - (B) The patent application was filed on Monday, June 25, 2001 in the USPTO. Able and Baker placed the invention on sale in the United States on Monday, June 26, 2000. The public came into possession and understands the invention the day it is placed on sale. Your clients have disclosed this information when they filed the application.
 - (C) The patent application was filed on Monday, June 25, 2001, in the USPTO. McGeiver, a friend of Baker, publicly used the invention in Hawaii on April 15,

2000. The public use was not experimental and was without Baker's knowledge or consent. The public came into possession of the invention the day it was used by McGeiver.

- (D) The patent application was filed on Monday, June 25, 2001, in the USPTO. The invention became known to the public in the United States in April 2000 as a result of disclosure on the Internet by Wilson, a party unknown to Able and Baker. The invention was not placed on sale or in public use prior to the filing date of the application.
- (E) More than one year prior to the filing in the USPTO of a patent application on Monday, June 25, 2001, in the USPTO, the invention, a machine, was used secretly by John, another inventor, to make a product. The details of the invention are ascertainable by inspection or analysis of the product made by John that was sold and publicly displayed.

The model answer is selection (B).

38. ANSWER: The most correct answer is (B). 35 U.S.C. § 102(b). The on sale activity by the inventors was not a statutory bar since the one year anniversary ends on Tuesday, June 26, 2001. (A) is not the correct answer. 35 U.S.C. § 102(a). The reference, published before the filing date of the client's application, is prior art under 35 U.S.C. 102(a). The inventive entity is Able and Baker. The authorship is "by others," Able, Baker, and McGeiver. The reference is prior art "by others." See MPEP § 2132 ('Others' Means Any Combination Of Authors Or Inventors Different Than The Inventive Entity), and MPEP § 2132.01. See also In re Katz, 215 USPQ 14 (CCPA 1982). (C) is not correct. 35 U.S.C. § 102(b). The invention was placed in public use more than one year before the filing date of the patent application. See MPEP § 2133 (The 1 – Year Time Bar Is Measured From The U.S. Filing Date); MPEP § 2133.03(a); and Egbert v. Lippmann, 104 U.S. 333, 336 (1881). (D) is not correct. Although public knowledge may not be a public use or sale bar under 35 U.S.C. 102(b), it can provide grounds for rejection under 35 U.S.C. 102(a). MPEP §§ 2132 and 2133.03(a)(C) (Use by Independent Third Parties). In this instance, the public knowledge is more than one year before the application filing date. (E) is not correct. 35 U.S.C. § 102(b). A "secret" use by another inventor of a machine to make a product is "public" if the details of the machine are ascertainable by inspection or analysis of the product that is sold or publicly displayed. Gillman v. Stern, 46 USPQ 430 (2d Cir. 1940); Dunlop Holdings v. Ram Golf Corp., 188 USPQ 481, 483 - 484 (7th Cir. 1975); W.L. Gore & Assocs. v. Garlock, Inc., 220 USPQ 303, 310 (Fed. Cir. 1983).

Petitioner chose answer (E). Petitioner's arguments have been fully considered but are not persuasive. Petitioner has argued that the prior art described in answer (E) is

not available to reject the claims because the facts do not state that the public sale and display occurred more than one year prior to the USPTO filing date. The argument is not persuasive. As provided in MPEP § 2133.03(b), even a "secret" use by another inventor of a machine or process to make a product is "public" if the details of the machine or process are ascertainable by inspection or analysis of the product that is sold or publicly displayed. Since answer (E) provides that the details of the invention (the claimed machine) are ascertainable by inspection or analysis of the product, the use of that machine to make the product more than one year prior to the filing of the patent application may be properly used in a rejection under 35 U.S.C. 102(b).

No error in grading has been shown. Petitioner's request for credit on this question is denied.

ORDER

For the reasons given above, one additional point has been added to petitioner's score on the Examination. Therefore, petitioner's score is 66. This score is insufficient to pass the Examination.

Upon consideration of the request for regrade to the Director of the USPTO, it is ORDERED that the request for a passing grade on the Examination is <u>denied</u>.

This is a final agency action.

Robert J. Spar

Director, Office of Patent Legal Administration
Office of the Deputy Commissioner
for Patent Examination Policy